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Security Council

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Security Council Committee established pursuant to resolution 1572 (2004) concerning Côte d'Ivoire

Note verbale dated 28 March from the Permanent Mission of Estonia to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of the Republic of Estonia to the United Nations presents its compliments to the Chairman of the Security Council Committee established pursuant to resolution 1572 (2004) and has the honour to forward to the Committee the report regarding the implementation of resolution 1572 (2004).

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Annex to the note verbale dated 28 March 2005 from the Permanent Mission of Estonia to the United Nations addressed to the Chairman of the Committee

Report of Estonia to the Security Council Committee established pursuant to resolution 1572 (2004)

In implementing United Nations Security Council resolutions, Estonia is bound by the requirements of its European Union membership. Therefore, United Nations Security Council resolutions imposing sanctions are implemented through relevant European Union instruments, mostly through European Union common positions and Council regulations.[1]

With regard to the paragraph of resolution 1572 (2004), by which the Council decided that all States shall take the necessary measures to prevent the supply of arms or any related materiel to Côte d'Ivoire, the Strategic Goods Act stipulates that the export and transit of military goods to countries subject to United Nations sanctions is prohibited. All licence applications to export and transit goods to Côte d'Ivoire included in the list of military goods and for the provision of services (including arms and equipment) are denied by the Strategic Goods Commission, except in the cases listed under paragraph 8. The Commission includes representatives of the Ministries of Foreign Affairs, Defence, Economic Affairs and Communications, the Security Police Board, the Police Board, the Tax and Customs Board and representatives of other administrative agencies and other specialists according to the necessity.

Detecting and investigating violations of arms embargo and the embargo on equipment likely to be used for internal repression is the responsibility of the Customs Board; detecting and investigating technical training and assistance falls under the responsibility of the Security Police Board, both of which are set to carry out such activities within the framework of their competencies.

The sanctions for violations of restrictive measures are foreseen in the Penal Code of Estonia, which stipulates that violation of an internal measure necessary for the application of an international sanction is punishable by a pecuniary punishment or up to 5 years' imprisonment. The same act, if committed by a legal person, is punishable by a pecuniary punishment. The court shall confiscate the object, which was the direct object of commission of an offence provided for in this section.

Since 15 November 2004, no licence application to export the goods in question to Côte d'Ivoire was submitted to the Commission, nor have there been reports from the Customs Board of any violations concerning exports to Côte d'Ivoire.

In order to implement the travel ban, as soon as the Committee established by paragraph 14 of the resolution has drawn up a list of designated persons, the targeted persons will be included in the State Register on Prohibitions on Entry administered by the Minister of the Interior in accordance with the terms of the Obligation to Leave and Prohibition on Entry Act. The persons with regard to whom a prohibition on entry applies are not granted permission to enter Estonia at a border

[1] In this context, European Union Council Common Position 2004/852/CFSP of 13 December 2004 and Council Regulation (EC) No. 174/2005 of 31 January 2005.

checkpoint, are not granted a basis for stay and his or her basis for stay shall not be extended within the period of validity of the prohibition on entry, and the person is also not permitted to stay in Estonia regardless of whether he or she has a basis for stay. Upon application of a prohibition on entry with regard to a person who holds a residence permit, a visa or other permission to stay in Estonia granted by administrative legislation, the corresponding basis for stay shall be revoked.

Monitoring the implementation of financial restrictive measures (foreseen in paragraph 11 of the resolution) is carried out by the Financial Supervision Authority, an agency with autonomous competence and a separate budget, which operates at the Bank of Estonia. The Supervision Authority conducts financial supervision in the name of the State and is independent in the conduct of financial supervision. The Financial Supervision Authority will ensure that, as soon as the Committee established by paragraph 14 of the resolution has drawn up the list of designated persons, all funds, other financial assets and economic resources belonging to the designated persons discovered by the Estonian financial institutions will be frozen.

The penalties for violations of restrictive measures are foreseen in the Penal Code of Estonia, which stipulates that violation of an internal measure necessary for the application of an international sanction is punishable by a pecuniary punishment or up to 5 years' imprisonment. The same act, if committed by a legal person, is punishable by a pecuniary punishment. The court shall confiscate the object, which was the direct object of commission of an offence provided for in this section.